

Serial No.: 10/516,527
Atty. Docket No.: P67953US1

REMARKS

By this Amendment, Applicant has canceled claims 21-30, amended claims 31-54 and added claims 55-62. Claims 1-20 and 31-62 are pending in the application. Claims 1, 11 and 45 are independent.

In the Requirement for Restriction mailed November 20, 2006, the Examiner stated that the captioned application includes four groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. The invention groups include Group I, claims 1-10, drawn to an optical branching unit with one input and two outputs, having transversal waveguide core elements connecting neighboring output cores; Group II, claims 11-30, drawn to an optical component with stress relieving elements; Group III, claims 31-40, drawn to an optical component with combination of waveguides having segmented sections; and Group IV claims 41-54, drawn to an optical coupler with combination of waveguides having transversal elements.

Applicant hereby elects Group IV (claims 41-54) directed to an optical coupler with combination of waveguides having transversal elements. However, Applicant traverses the restriction requirement with respect to Groups II, III and IV in view of the amendments presented herein.

Serial No.: 10/516,527
Atty. Docket No.: P67953US1

Specifically, claim 11 has been amended herein to be directed more broadly to an optical component including a combination of planar waveguides on a substrate, with each waveguide having a core region pattern surrounded by lower and upper cladding layers. The core region pattern is formed in a layer applied to the lower cladding layer supported by the substrate and the upper cladding layer is applied to cover the core region pattern and the lower cladding layer. The combination of waveguides includes spaced, parallel, diverging or merging waveguide core sections. In addition, *a void reducing or stress reducing structural element* is located in the vicinity of the spaced, parallel, diverging or merging waveguide core sections.

The generic reference to a "void reducing or stress reducing structural element" in claim 11, as contrasted with the previous specific reference to a stress relieving element, is supported in the specification on page 7, lines 23-36, and on page 43, line 30 through page 46, line 17. It is clear from the noted specification text that the stress relieving element, the transversal elements and the segmented sections can all be referred to more generally as additional "structural elements" that reduce voids and/or stress, as the case may be. Therefore, claim 11 is now generic with respect to Groups II, III and IV.

Serial No.: 10/516,527
Atty. Docket No.: P67953US1

In view of the applicability of claim 11 to all of Groups II, III and IV, previously independent claim 31 (Group II) and claim 41 (Group IV) have been amended herein to depend from claim 11, with each introducing the segmented sections and the transversal elements, respectively, as embodiments of the "structural elements". Therefore, Applicant presents claims 12-20, 31-44 and new claims 55-62, all of which depend from claim 11, as reading on the elected invention.

In addition, method claim 45 has been rewritten in independent form to set forth the optical component limitations of claim 11 in the preamble, followed by the method steps for manufacturing such an optical component. Therefore, since the present application is subject to unity of invention practice under 37 C.F.R. 1.499, claims 11 and 45 meet the requirements for such practice as both claims share one or more common special technical features that define the contribution which the invention, considered as a whole, makes over the prior art. Particularly, both claims share the common technical feature of a combination of waveguides including spaced, parallel, diverging or merging waveguide core sections, and a void reducing or stress reducing structural element located in the vicinity of the spaced, parallel, diverging or merging waveguide core sections.

Serial No.: 10/516,527
Atty. Docket No.: P67953US1

Claims 12-20, 31-44 and 46-62 are each dependent on one of claims 11 and 45 and thus are part of the same unitary invention. Accordingly, Applicant requests withdrawal of the restriction requirement as between Groups II, III and IV, and examination on the merits with respect to claims 12-20 and 31-62.

With this amendment and the foregoing remarks, it is respectfully submitted that the present application is in condition for examination. Should the Examiner have any questions or comments, the Examiner is cordially invited to telephone the undersigned attorney so that the present application can receive an early Notice of Allowance.

Respectfully submitted,

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